IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 8627 of 2005(B)

OS.1501/2003 of PRL.M.C.,TRIVANDRUM
.....

PETITIONER:

N.S.SALIM KUMARAN NAIR,
S/O. SREEDHARAN NAIR, PANKAJ NIVAS, PANAYARA,
NALANCHIRA, KUDAPPANAKKUNNU, THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

N.S.SURESHKUMARAN NAIR,
S/O. SREEDHARAN NAIR, VASU NIVAS, T.C.48/865(26),
KONCHIRA VILA, MANACAUD, THIRUVANANTHAPURAM.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO. 8627/2005

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER DT. 17.11.2003 OF THE PRINCIPAL MUNSIFF, THIRUVANANTHAPURAM.

EXT.P2:- COPY OF THE JUDGMENT DT. 24.11.04.

/TRUE COPY/

P.A. TO JUDGE

tss

PIUS C. KURIAKOSE, J.

W.P.(C) NO.8627 of 2005

Dated this the 1st day of August , 2007

JUDGMENT

There is no appearance for the respondent though he has been served with notice.The District Judge, Thiruavananthapuram interfered with Ext.P1 order dismissing the application for injunction and granted injunction against the petitioner. While admitting this writ petition, I directed both sides to maintain status quo as regards the suit schedule shop room. I do not find any infirmity about Ext.P2 warranting corrections by this court under Article 227 of the constitution. However, the writ petition will stand disposed of issuing the following directions.

The parties will maintain status quo, as regards the suit schedule shop room, as obtaining on 15.3.2005 till the suit is disposed of by the learned Munsiff, Thiruvananthapuram. The Munsiff Court Thiruvananthapuram is directed to try and dispose of the suit on the basis of the evidence which comes on record at

trial without being unduly influenced either by Ext.P1 or by Ext.P2.

PIUS C. KURIAKOSE,
JUDGE.

Dpk